



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/642,991

08/18/2003

Daniel Esposito

100.2493

3515

27997

7590

05/08/2006

PRIEST & GOLDSTEIN PLLC

5015 SOUTHPARK DRIVE

SUITE 230

DURHAM, NC 27713-7736

EXAMINER

DESIR, PIERRE LOUIS

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/642,991	Applicant(s) ESPOSITO ET AL.	
	Examiner Pierre-Louis Desir	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/21/2006 has been entered.

Response to Arguments

3. Applicant's arguments filed on 03/21/2006 have been fully considered but they are not persuasive.

Applicants argue that Yach does not teach that a mobile device uses a packet data connection to gain access to data, centralized directory services, and centrally controlled calling features.

Examiner respectfully disagrees with applicant. Yach discloses a device comprises a data component for storing, retrieving, receiving and displaying data including e-mail messages, calendar appointments, address information, for launching applications associated with the data, and for connecting to the data packet network for sending and receiving data, and a voice component, connected to the data component for receiving call initiation information, the voice

component for initiating and receiving telephone calls, and caller identification information, and for providing the received caller identification information to the data component for cross reference to the data (see paragraph 12). Also, Yach discloses that when wireless connector 125 is configured to reside on a network, wireless connector 125 can monitor the data items 205 for many users across several workstations simultaneously. The data items 205 can originate from Internet sources 135, from other LAN workstations 210 or from external data sources. Data items 205 include: phone calls, e-mail, etc. (see paragraphs 47-48, 65, and 115).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 7-12, 15, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Yach et al. (Yach), Pub. No. US 2002/0128036.

Regarding claim 1, Yach discloses a wireless communication system for supporting communication by a plurality of wireless devices (see abstract, paragraphs 48, 65, 68), comprising: a packet data interface for supporting packet data communication by each of the plurality of wireless devices (i.e., a dual mode mobile device connected to a data packet network, wherein a data component for connecting to the data packet network for sending receiving data Also see data wireless network item 145) (see figs. 1, 2c, 4, and paragraphs 8 and 12. Also refer

Art Unit: 2617

to paragraphs 46-47, and page 5, paragraph 48 as related to other users or other wireless devices common access to data); a voice interface for supporting voice communication by each of the plurality of wireless devices (i.e., voice component connected to the data component for initiating and receiving telephone calls. Also see voice wireless network item 150) (see figs. 1, 2c, 4, and paragraphs 8 and 12); and a data server (desktop workstation or network server item 120) (see figs. 1, 4, 6-10, and paragraph 50) providing data and centralized directory services and centrally controlled calling features to each of the plurality of wireless device through a packet data connection in order to furnish data to a wireless device upon request by the wireless device (i.e., when a user-defined event has occurred, wireless connector 125 transmits user-selected data items 205 from the computer 120 to mobile device 100. A non exhaustive list of data items that can be sent to mobile device 100 includes e-mail messages, voice-mail indications, calendar events, to do lists, address book entries, work items or other personal information (PIM) data) (see figs. 1, 4, 6-10, and paragraphs 12, 38, 47-48, 65, and 115), the central data server providing common access to data by two or more of the wireless devices (i.e., wireless connector 125 operates at computer 120 or at a network server where data items 205 are received. When wireless connector 125 is configured to reside on a network, wireless connector 125 can monitor the data items 205 for many users across several workstations simultaneously) (see figs. 1, 4, 6-10, and paragraph 48), the data furnished by the data server including user accessible data and features (see figs. 1, 4, 6-10, and paragraphs 38, 48).

Regarding claim 2, Yach discloses a system (see claim 1 rejection) wherein the central data server stores a calling directory of parties that may be called, the calling directory storing an identification of each party in association with the telephone number of the party, and the data

Art Unit: 2617

server searches the calling directory in response to a query by a wireless device and provide desired calling information to the wireless device upon request by the wireless by the wireless device (i.e., when a user-defined event has occurred, wireless connector 125 transmits user-selected (i.e., request) data items from the computer to mobile devices. An example of data items that can be sent to mobile devices includes address book entries, or other personal information (PIM) data. This pushed data can be input by the user, or by another, and is typically time sensitive data entered into computer 120 in advance of the even that triggers wireless connector 125, wherein the address book presents the address information associated with the caller identification information, or creates a new address book entry to store information associated with the caller identification information wherein caller identification information includes an originating phone number, and may optionally include a caller name) (see paragraphs 11 and 38).

Regarding claim 3, Yach discloses a system (see claim 2 rejection) wherein the data server stores a command set for the implementation of calling features available to the plurality of the wireless devices and to transfer desired commands to the plurality of the wireless devices when requested (i.e., comprising a network server where data items are received (paragraph 48) and comprising receiving a voice call containing caller identification information, determining the data component application to launch based on the call preferences and launching the determined data component application. In embodiments of the present aspect of the invention the set of call preferences maps different incoming numbers to different applications, or prompts the user for an application to launch. The applications include at least one of a calendar, call log, address book and email client) (see paragraphs 11 and 48).

Regarding claim 7, Yach discloses a wireless device (i.e., dual-mode mobile device) for communication using directory information and calling features through a packet data connection with a data server (see abstract, and paragraph 11), comprising: a voice connection interface for establishing and maintaining a voice connection for voice communication through a switched voice network (i.e., a voice component, connected to the data component for receiving call initiation information, the voice component for initiating and receiving telephone calls, and caller identification information, and for providing the received caller identification information to the data component for cross reference to the data) (see fig. 2c, and paragraph 12) ; and a business service client module for retrieving from the data server calling information commonly accessible by the wireless device and by other similar wireless devices and for processing and presenting calling information received from the data server (see fig. 2c, and paragraphs 11-12, 38, 48, 68, and 71), the business service client module being operative to access centralized directory services and centrally controlled calling features provided by the data server, and to direct the initiation of voice communication with a desired telephone upon identification and retrieval of the desired telephone number from the data server (see paragraphs 11-12, 48, and 115).

Regarding claim 8, Yach discloses a device (see claim 7 rejection) wherein the business service client module is further operative to retrieve commands from the data server and to implement calling features using the commands (i.e., a wireless device (see abstract) comprising a network server where data items are received (paragraph 48) and comprising receiving a voice call containing caller identification information, determining the data component application to launch based on the call preferences and launching the determined data component application.

In embodiments of the present aspect of the invention the set of call preferences maps different incoming numbers to different applications, or prompts the user for an application to launch. The applications include at least one of a calendar, call log, address book and email client) (see page 1, paragraphs 11-12).

Regarding claim 9, Yach discloses a device (see claim 8 rejection) further comprising a voice over Internet protocol interface for establishing and maintaining a packet data connection in order to carry on voice communication through the packet data connection (i.e., the voice component can be connected to the data packet network for receiving and initiating telephone calls using Voice over Packet data channels) (see page 2, paragraph 12).

Regarding claim 10, Yach discloses a method of wireless communication, comprising the steps of: establishing a packet data connection between one of a plurality of wireless devices and a directory and features server (i.e., the wireless device comprises a data component for storing, retrieving, receiving and displaying data including e-mail messages, calendar appointments, address information, for launching applications associated with the data, and for connecting to the data packet network for sending and receiving data, and a voice component, connected to the data component for receiving call initiation information, the voice component for initiating and receiving telephone calls, and caller identification information) (see figs. 1, 4, 6-8, and paragraphs 11-12, 38, 48); selecting desired calling information from centralized directory services and centrally controlled calling features provided by the server and delivering the calling information to the wireless device (i.e., the data component has a preferences table (selection table) that determines an application to launch upon (inherently, this preference table is delivered to the wireless device) receiving caller identification information from the voice

component) (see figs. 1, 4, 6-8, and paragraphs 11-12, 48, and 115); and initiating and maintaining a call from the requesting wireless device to a telephone identified by the calling information delivered from the server (i.e., the voice component initiates a telephone call upon receiving call initiation information from the data component (see paragraph 12). And, Once the phone number is selected the data handling component of mobile device transmits a request to the cellular phone component to initiate an outbound voice call from the device to the selected phone number. The necessary components of the cellular phone component of the mobile device then initiates and establishes an outbound voice call with the information at least partially collected from the data store) (see paragraph 57).

Regarding claim 11, Yach discloses a method (see claim 10 rejection) wherein the step of selecting the desired calling information further includes presenting a series of selection interfaces to the requesting wireless device (i.e., a menu item such as 'Call Address' is offered as an action among the one or more menu selection action items. An illustrative menu selection is shown in FIG. 2b. As shown, the menu selection 451 graphical user interface (GUI) may include one or more of the following action items: hide menu 452, copy 454, mark unopened 456, file message 458, save message 460, reply 462, forward 464, reply to all 466, delete 468, more 470, email person y 472, SMS person y 474, call person y 476, view contact info 478, show qualified address 480, previous item 482, next item 484, next unopened item 486, close 488) (see fig. 2b, and paragraphs 11 and 56) and conducting a search in the directory and features server based on user responses to the selection interfaces (see paragraphs 11, 12, 38, and 57).

Regarding claim 12, Yach discloses a method (see claim 11 rejection) wherein the step of establishing the packet data connection is followed by a step of delivering a set of commands to

Art Unit: 2617

the requesting wireless device to allow access to calling features implemented by the commands (i.e., providing the received caller identification information to the data component for cross reference to the data) (see page 1, paragraph 11; and page 2, paragraph 12).

Regarding claim 15, Yach discloses a system (see claim 1 rejection) wherein the centrally controlled calling features comprise commands utilized to implement configurations of a particular wireless device consistent with a user profile whereby different users may conveniently configure the particular wireless device to their preferences (see paragraphs 11, 73, and 103).

Regarding claim 17, Yach discloses a system (see claim 1 rejection) wherein the voice interface senses conditions relating to voice communication (i.e., the microprocessor, in conjunction with the voice communication module and the operating system software, may detect the caller identification information of an incoming voice call).

Regarding claim 18, Yach discloses a system (see claim 1 rejection) wherein the centrally controlled calling features comprise commands downloaded as needed to allow a particular wireless device to take advantage of special features offered by a system with which it is to be used (i.e., receiving data items or commands) (see paragraphs 8-9, and 58).

Regarding claim 19, Yach discloses a method (see claim 10 rejection) further comprising: downloading commands from the directory and features server utilized by the plurality of wireless devices to implement calling features (i.e., receiving data items or commands) (see paragraphs 8-9, and 58).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-5, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yach, in view of Hamilton, Pub. No. US 2002/0176377.

Regarding claim 4, Yach discloses a system as described above (see claim 3 rejection).

Although it is known in the art that in a communication system supporting circuit-switched services, RNCs are connected to a mobile switching center of a core network, and the MSC is connected to the gateway mobile switching center managing the access of a voice call requested from or to an external network and Packet-switched services are provided by a serving GPRS support node and a gateway GPRS support node of the core network, Yach does not specifically disclose a system wherein the voice interface includes a mobile switching center to support switched voice communication by the wireless devices.

However, Hamilton discloses a system wherein voice interfaces include a mobile switching center to support switched voice communication by the wireless device (see paragraph 66).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Hamilton with the teachings as described by Yach to arrive at the claimed invention. A motivation for doing so would have been to ensure the proper functioning of the voice module.

Regarding claim 5, Yach discloses a system (see claim 4 rejection) wherein the voice interface further includes a voice over Internet protocol interface to support voice communication by the wireless device over a packet data connection (see paragraphs 10, 12, and 48).

Regarding claim 16, Yach discloses a system as described (see claim 1 rejection).

Although Yach discloses a system as described, Yach does not specifically disclose a system wherein the centrally controlled calling features comprise commands with different commands available to different classes of users.

However, Hamilton discloses a system wherein the definition of a service may also provide class of restriction information that may be applied against users or groups of users to inhibit a particular service or features associated with a given service (see paragraph 56). Thus, one skilled in the art would unhesitatingly and obviously conceptualize that different users may have different command since class of restriction information may be applied to group of users to inhibit a particular service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Hamilton with the teachings as described by Yach to arrive at the claimed invention. A motivation for doing so would have been to ensure authorized access to a particular type of service.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yach and Hamilton, in further view of Zhang et al. (Zhang), U.S. Patent No. 6661485.

Yach and Hamilton disclose a system as described above (see claim 5 rejection).

Although the combination discloses a system wherein the data server is further operative to initiate a first call to a telephone number identified in the calling information provided to the wireless device (see paragraph 12), the combination does not specifically disclose a system wherein the data server is further operative to initiate a second call to the wireless device, and to bridge together the first and second calls to establish a connection between the wireless device and the identified telephone number.

However Zhang discloses a system wherein a PSTN call is placed to a subscriber whose line is being used for Internet access, and through the service control point, the subscriber places a call through a gateway to the service node. The service node matches the subscriber call and PSTN call and bridges them together to provide a VOIP connection (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings to arrive at the claimed invention. A motivation for doing so would have been to enable subscribers to place and answer telephone calls during an Internet session without having to disconnect Internet access (see abstract).

9. Claim 14 is rejected under 35 U.S.C. 102(e) as being anticipated by Yach in view of Leslie, Publication No. US 2003/0135485.

Yach discloses a system as described above (see claim 1 rejection).

Although Yach discloses a system as described above, Yach does not specifically disclose a method wherein the centralized directory services comprise storing records for an employee of an enterprise including a hierarchical listing or a series of function descriptions of the employee's position in the enterprise.

However, Leslie discloses a system wherein computers can store and retain data related to employees of multi-national corporations, including the departments in which they work, their job descriptions, salaries, and employee numbers. This data is stored in the form of tables in a relational database.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to keep a proper listing of employees of the corporation as related to the employee jobs description.

10. Claims 13 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yach in view of Lindquist et al. (Lindquist), U.S. Patent No. 5852660.

Yach discloses a system and method as described above (see claims 1 and 19 rejections).

Although Yach discloses a system and method as described, Yach does not specifically disclose a system and method wherein the centrally controlled calling features comprise commands utilized to implement monitoring a telephone that is busy when called and providing an alert when the telephone being monitored is no longer busy.

However, Lindquist discloses a system and method wherein the centrally controlled calling features comprise commands utilized to implement monitoring a telephone that is busy when called and providing an alert when the telephone being monitored is no longer busy (see col. 2, lines 9-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation


for doing so would have been to provide to subscribers the convenience of not having to repeatedly dial a called party until a connection is established (see col. 2, lines 32-34).

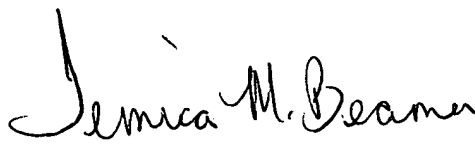
Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Louis Desir whose telephone number is (571) 272-779. The examiner can normally be reached on Monday-Friday 8:00AM- 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Pierre-Louis Desir
05/01/2006


TEMICA BEAMER
PRIMARY EXAMINER